

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

The Examiner rejected claims 1-49 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Further, the Examiner rejected claims 1-49 as failing to define the invention in the manner required by 25 U.S.C. 112, second paragraph.

Applicant notes that claims 1-3, 5-7, 9-10, 14-19, 21-22, 24-25, 28-29, 31, 38-42, 44-45, and 47-48 have been amended to overcome the Examiner's rejection. Thus, Applicant respectfully requests removal of the rejection.

The Examiner provisionally rejected claims 1-49 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-48 of co-pending Application No. 10/596,055. Applicant notes that timely filed terminal disclaimer in accordance with 37 CFR 1.321(c) is attached to the present amendment, which removes co-pending Application No. 10/596,055 as a reference, thus, overcoming the double patenting rejection.

The Examiner stated that claims 1-49 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph. As mentioned above, Applicant notes that claims 1-3, 5-7, 9-10, 14-19, 21-22, 24-25, 28-29, 31, 38-42, 44-45, and 47-48 have been amended to overcome the Examiner's 35 U.S.C.

112, second paragraph rejection.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SAT-16647.

Respectfully submitted,

RANKIN, HILL & CLARK LLP

By /Ronald S. Nolan/
Ronald S. Nolan, Reg. No. 59271
Patent Agent

38210 Glenn Avenue
Willoughby, Ohio 44094-7808
(216) 566-9700